

Amended Complaint 13 GV 7208
for Incident dated March 14 2013

(WHP)(GWG)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Candido Jerez
3491314206
GMDC

(In the space above enter the full name(s) of the plaintiff(s))

-against-

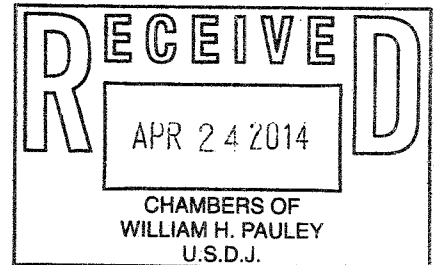
Santo Liz #2686
New York City

(In the space above enter the full name(s) of the defendant(s) . If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

COMPLAINT

under the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)

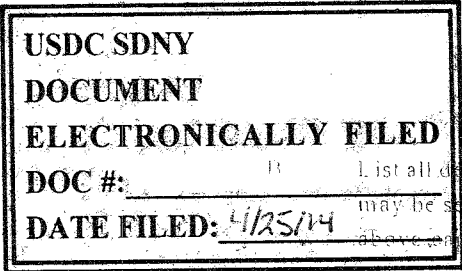
Jury Trial: ☒ Yes ☐ No
(check one)



I. Parties in this complaint:

A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Candido Jerez
ID # 3491314206
Current Institution GMDC
Address 15-15 Hazen St.
East Elmhurst N.Y. 11370



B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Santo Liz Shield # 2686
Where Currently Employed _____
Address _____

On March 14 2013

What happened to you?

Who did this?

Was anyone else involved?

Who else saw what happened?

D. Facts:

I WAS ASKING to see the EMT worker cause I had chest pain and needed to go to the hospital; I was denied an interview with the EMT worker (personnel) I look into his station and lights were out; it was purely dark no one to be seen.

I was push and shoved by officer Santo Liz repeatedly so as to feel the pain in my hand and ankle cause by the chains of the manacles hand/feet cuff. I went down in pain and protest, only to be dragged on down the hall on the floor so I painfully got up and again Officer Santo Liz commenced to pound me with pushes & shoves I got up and motion a protest with my manacled foot; only to be forcefully slammed by SANTO LIZ face first, handcuffed behind my back and manacled, to so to hand No way of stopping my inevitable collision with concrete floor I ended up with 5 to 6 co defendants

III. Injuries: Saw incident because we were all arrested together

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. I ended up in the hospital with six stitches on the side of my right eye, pain in my left knee and constant headaches I loss concience via to the hospital I wake up in the hospital and asked "what happened" All this happened on March 14 2013.

13. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s)

B Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes _____ No _____ Do Not Know _____

C Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes _____ No _____ Do Not Know _____

If YES, which claim(s)? _____

D Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes _____ No _____

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes _____ No _____

E If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve? _____

2. What was the result, if any? _____

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. _____

F If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

2. If you did not file a grievance but informed any officials of your claim, state who you informed, _____

when and how, and their response, if any:

12 Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. **Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

VI. **Previous lawsuits:**

(On
these
claims

Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes _____ No ☒

Rev. 05/2010

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ☒ No _____

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff CANDIDO JEREZ

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) USDC Southern District of N.Y. (Token Square)

3. Docket or Index number 113 CIV 8822 (AT) 10

4. Name of Judge assigned to your case ANALISA TORRES

5. Approximate date of filing lawsuit Cause: 42:1983 Prisoner Civ Rights

6. Is the case still pending? Yes ☒ No 12/11/2013

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 1 day of April, 2014

Signature of Plaintiff

Candido Perez

Inmate Number

3491314200

Institution Address

GMD C
1515 Hazen St.
East Elmhurst
New York 11370

Note All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 1 day of April, 2014 I am delivering this complaint to prison authorities to be mailed to the Pro Se Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Candido Perez